IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

PUBLIC INTEREST LITIGATION NO.2847 OF 2005

Rishi D. Aggarwaal and another .. Petitioners
v/s.
Municipal Corporation of Greater Mumbai
and another .. Respondents

None for the petitioners.

Mr.K.K.Singhvi, senior counsel for the respondent No.1.

Mr.R.M.Sawant, Government Pleader for the respondent No.2.

CORAM : R.M. LODHA &
S.J.VAZIFDAR, JJ.

DATED : 5TH JULY, 2006.

P.C.

Nobody appears for the petitioners. We heard Mr.R.M.Sawant, Government Pleader for the respondent No.2 and also perused the affidavit of Nivrutti Ramchandra Virkar, Executive Engineer, filed on behalf of the MMRDA. We also perused the affidavit of Prakash A. Naringrekar, Superintendent of Gardens/Tree Officer, Municipal Corporation of Greater Mumbai.

2. It appears from the affidavit of respondent No.1 (Municipal Corporation of Greater Mumbai) that L.B.S. Road was reinspected by the staff of Tree Authority on 9.5.2005 and 10.5.2005 for

verification of the existing trees and the trees that are required to be removed. The details of the trees that are existing and the trees that are affected from Sion to Kanjur Marg (LBS- I) and Kanjur Marg to Mulund (LBS- II) have been given. It is stated that in its meeting held on 13.7.2005, the Tree Authority has sanctioned both the proposals and two separate permissions for two different proposals have been issued by the Tree Authority to the Executive Engineer, MMRDA

3. We direct Mumbai Metropolitan Regional Development Authority (MMRDA) to act strictly as per the permissions Nos.DySG/TA/MC/530 dated 6.9.2005 and DySG/TA/MC/495 dated 3.9.2005 for cutting/transplantation and retention of the trees while carrying out the widening of LBS Road from Sion to Kanjur Marg and Kanjur Marg to Mulund.

4. The Executive Engineer, MMRDA shall file compliance report every four months until the entire project is completed.

5. With the aforesaid directions, writ petition (PIL) stands disposed of.

(R.M.LODHA, J.)

(S.J.VAZIFDAR, J.)